

(ORDER LIST: 543 U.S.)

TUESDAY, JANUARY 18, 2005

CERTIORARI -- SUMMARY DISPOSITIONS

03-8075 PEREZ-AQUILLAR, GUILLERMO V. ASHCROFT, ATT'Y GEN., ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *Clark v. Martinez*, 543 U.S. ____ (2005).

03-8662 SIERRA, ROLANDO M. V. ROMINE, WARDEN, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *Clark v. Martinez*, 543 U.S. ____ (2005).

ORDERS IN PENDING CASES

04M39 MILES, GREGORY V. WTMX RADIO NETWORK, ET AL.

04M40 BEY, SAKIMA IBAN SALIH EL V. HEIFNER, OFFICER, ET AL.

The motions to direct the Clerk to file petitions for writs of certiorari out-of-time are denied.

04-7596 MANESSIS, THEODORE G. V. NEW YORK CITY DEPT. OF TRANSP.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until February 8, 2005, within which to pay the docketing fee required by Rule

38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

CERTIORARI DENIED

03-1250 TROY CAB, INC., ET AL. V. MI PUB. SERV. COMM'N, ET AL.
04-350 FLUOR DANIEL, INC. V. NLRB
04-357 GUNDY, WARDEN V. SCOTT, CLARENCE
04-417 BILL HEARD CHEVROLET INC. V. BRAGG, RANDAL S., ET AL.
04-439 JOHNSON, HOWARD W. V. UNITED STATES
04-463 JEAN CO., LTD. V. ELONEX I.P. HOLDINGS, ET AL.
04-471 FAUST, JACOB J. V. WISCONSIN
04-488 CRYSTIAN, REBECCA, ET AL. V. TOWER LOAN OF MISSISSIPPI INC.
04-499 JEONG, JAE W. V. TAIHEIYO CEMENT CORP., ET AL.
04-557 CUENCA, MICHAEL R. V. UNIVERSITY OF KANSAS, ET AL.
04-641 DuPAGE COUNTY, IL V. PALMETTO PROPERTIES, ET AL.
04-649 PARMAR, ROSEMARY V. CALIFORNIA
04-650 KRETCHMAR, GARY L. V. DiGUGLIELMO, SUPT., GRATERFORD
04-655 URBAN, RALPH V. HURLEY, WILLIAM C.
04-657 WOOD, JAMES C. V. NORTH CAROLINA
04-661 KORESKO, BONNIE J., ET AL. V. FARLEY, MARK, ET AL.
04-663 RADLOFF, STEVEN V. OELWEIN, IA., ET AL.
04-687 SHAIN, ROBERT, ET AL. V. VENEMAN, SEC. OF AGRIC., ET AL.
04-689 CARMAN, JOHN V. FUENTES, ALICIA, ET AL.
04-696 HIGGS, JEFFREY A. V. COLORADO
04-701 SIBLEY, MONTGOMERY B. V. SIBLEY, BARBARA
04-708 MAINE SHIPYARD & MARINE RAILWAY V. PNC BANK DELAWARE, INC.
04-713 SINGH, KESAR V. ASHCROFT, ATT'Y GEN.
04-729 CLARK, PATRICIA V. WHIRLPOOL CORPORATION

04-737 BRENEMAN, JOHN, ET AL. V. U. S., ex rel. FAA, ET AL.
04-761 PAXTON RESOURCES, L.L.C. V. BRANNAMAN, DAN M., ET UX.
04-769 JENSEN, FREDERICK G. V. WASHINGTON
04-817 DAVIS, RYAN W. V. UNITED STATES
04-834 KEYSER, DALE P. V. UNITED STATES
04-5724 SANTOS, JAMES K. V. ILLINOIS
04-6394 FULANI, IBRAHIM H. V. UNITED STATES
04-6421 GOINS, MICHAEL J. V. LOCAL 2047 I L A EXECUTIVE BD.
04-6521 CARDENAS, JESUS H. V. UNITED STATES
04-6790 BRYANT, REQUELLE V. BARNHART, COMM'R, SOCIAL SEC.
04-6914 MOBLEY, STEPHEN A. V. SCHOFIELD, WARDEN
04-7202 DAVIS, FRED M. V. DRETKE, DIR., TX DCJ
04-7213 BURTON, ALNORAINDUS V. MOTE, WARDEN
04-7217 MARSHALL, JONATHAN P. V. (FNU) MYERS, ET AL.
04-7221 NASH, NORRIS V. LOUISIANA
04-7224 KRONCKE, ROBERT E. V. HOOD, JEFFREY, ET AL.
04-7230 BROWN, TIMOTHY T. V. MISSISSIPPI
04-7236 WOODBERRY, THOMAS V. BRUCE, WARDEN, ET AL.
04-7237 WATKINS, WILBERT R. V. TEXAS
04-7239 WILMS, CHESTER L. V. HANKS, SUPT., WABASH VALLEY
04-7240 MORRIS, PHILLIP V. CAREY, WARDEN
04-7243 RUFFIN, MARKEE V. MECHLING, SUPT., FAYETTE
04-7244 SPENCER, VINCENT D. V. TENNIS, SUPT., ROCKVIEW
04-7245 NALI, FRANK V. MI DOC, ET AL.
04-7247 SMITH, STEPHENSON L. V. LEWIS, WARDEN, ET AL.
04-7252 MCKINNEY, LARRY V. HUMPHREY, WARDEN
04-7255 NIMMONS, DWAYNE V. CROSBY, SEC., FL DOC
04-7256 PHIFER, CHARLES V. WABASH VALLEY, ET AL.

04-7258 DAVIS, LEE W. V. NEWLAND, WARDEN
04-7261 THOMAS, DAVID A. V. CREDIT-BASED ASSET SERVICING
04-7263 SANDERS, HENRY L. V. DRETKE, DIR., TX DCJ
04-7265 ACKER, CHRISTINA V. ROOSE, JAMES, ET AL.
04-7266 JONES-EL, DENNIS E., ET AL. V. BERGE, WARDEN, ET AL.
04-7267 ELLIS, MARK O. V. GUY, WALTER, ET AL.
04-7273 HERNANDEZ, JUAN V. KEANE, JOHN P., ET AL.
04-7274 GORDON, MATTHEW V. FLORIDA
04-7278 HORTON, RUSSELL J. V. ALLEN, SUPT., CEDAR JUNCTION
04-7285 DE LA GARZA, ALBERT V. STRINGFELLOW, A. M., ET AL.
04-7295 BRAXTON, PRESTON W. V. CALIFORNIA
04-7301 WORLEY, ALFRED F. V. USCA 4
04-7313 HOLMES, KENNETH V. DiGUGLIELMO, SUPT., GRATERFORD
04-7337 FARMER, JEFFREY T. V. POLICE DEPT. OF CARRBORO, NC
04-7353 PRIESTER, BARRY V. DiGUGLIELMO, SUPT., GRATERFORD
04-7380 GLANDA, JEFFERY T. V. NEW YORK
04-7407 BARKER, KATHRYN V. TX DEPT. OF PRO. AND REG. SERV.
04-7465 MARTINEZ, MIGUEL V. ILLINOIS
04-7506 ROBERTS, ETHAN E. V. BARRERAS, LAWRENCE, ET AL.
04-7512 GOINS, TYREND M. V. NEVADA
04-7513 FLEMING, DONALD C. V. UNITED STATES
04-7559 CASSANO, JAMES V. UNGER, SUPT., LIVINGSTON
04-7623 BERT, COLVIN I. V. SNOW, SEC. OF TREASURY, ET AL.
04-7639 WILLIAMS, LARRY J. V. UNITED STATES
04-7641 TATE, TONY L. V. UNITED STATES
04-7649 SPRINGMEIER, FRITZ A. V. UNITED STATES
04-7651 ROYAL, NATHANIEL V. UNITED STATES
04-7658 BUCK, DALE T. V. UNITED STATES

04-7665 RAMOS, ALEX D. V. UNITED STATES
04-7666 SMITH, KIRK R. V. UNITED STATES
04-7668 SIMS, RUFUS V. UNITED STATES
04-7671 SANTIAGO, ERNIE V. LAMANNA, WARDEN
04-7675 CHILDERS, WALTER J. V. UNITED STATES
04-7676 COFFEE, JERAMY D. V. UNITED STATES
04-7677 DIXSON, ANTOINE V. UNITED STATES
04-7683 LATTNER, JAMES T. V. UNITED STATES
04-7684 ROBINSON, TIMOTHY M. V. UNITED STATES
04-7690 ESQUIVEL-CABRERA, ROBERTO V. UNITED STATES
04-7692 DORE, PASCAL V. UNITED STATES
04-7699 HUNTER, ANTHONY V. UNITED STATES
04-7703 GONZALEZ-GONZALES, HUMBERTO V. UNITED STATES

The petitions for writs of certiorari are denied.

03-920 CRAWFORD, INT. FIELD OFFICE DIR. V. MARTINEZ-VAZQUEZ, GILBERTO
03-1265 CRAWFORD, INT. FIELD OFFICE DIR. V. RIVERON-AGUILERA, ELIO
03-1436 ALCANTER, FIELD OFFICE DIR. V. PEDROSO, RIGOBERTO C.
04-531 MICHIGAN V. RUSSELL, LORD S.

The motions of respondents for leave to proceed *in forma pauperis* are granted. The petitions for writs of certiorari are denied.

04-647 BURNS, FRANCIS X., ET AL. V. PNC BANK NAT. ASSN., ET AL.

The petition for a writ of certiorari is denied. Justice Breyer took no part in the consideration or decision of this petition.

04-695 HOUSEY PHARMACEUTICALS V. ASTRAZENECA UK LTD., ET AL.

The petition for a writ of certiorari is denied. Justice O'Connor and Justice Breyer took no part in the consideration or

decision of this petition.

04-702 HAMDAN, SALIM A. V. RUMSFELD, SEC. OF DEFENSE

The petition for a writ of certiorari before judgment is denied.

04-717 AM. AXLE & MFG., INC. V. DANA CORP.

The motion of Cisco System, Inc., et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

04-7225 MARTIN, JACQAUS L. V. NEBRASKA, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

HABEAS CORPUS DENIED

04-7768 IN RE CARY GAGAN

The petition for a writ of habeas corpus is denied.

MANDAMUS DENIED

04-7214 IN RE ALEXANDRIA BARKCLAY

04-7215 IN RE ALEXANDRIA BARKCLAY

04-7216 IN RE ALEXANDRIA BARKCLAY

04-7218 IN RE ALEXANDRIA BARKCLAY

04-7269 IN RE CURTIS J. BROWN

04-7564 IN RE JIMMY BROWN

04-7642 IN RE JERMAINE A. YOUNG

The petitions for writs of mandamus are denied.

04-7275 IN RE TERRY L. FISH

The petition for a writ of mandamus and/or prohibition is

denied.

04-7333 IN RE BILLY GRISSO

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of mandamus is dismissed. See Rule 39.8.

REHEARINGS DENIED

04-5804 IBRAHIM, JOHN V. IBRAHIM, MARIN

04-6162 CANDELARIA, BERNABE V. UTAH

04-6381 DRABOVSKIY, YAKOV G. V. UNITED STATES

The petitions for rehearing are denied.

ATTORNEY DISCIPLINE

D-2378 IN THE MATTER OF DISBARMENT OF MEL LEVINE

Me1 Levine, of Phoenix, Arizona, having been suspended from the practice of law in this Court by order of October 12, 2004; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Me1 Levine is disbarred from the practice of law in this Court.

D-2379 IN THE MATTER OF DISBARMENT OF MARK JOEL NERENBERG

Mark Joel Nerenberg, of Little Neck, New York, having been suspended from the practice of law in this Court by order of October 12, 2004; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Mark Joel Nerenberg is disbarred from the

practice of law in this Court.

D-2380 IN THE MATTER OF DISBARMENT OF DAVID ROBERT JAMPOL

David Robert Jampol, of Hauppauge, New York, having been suspended from the practice of law in this Court by order of October 12, 2004; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that David Robert Jampol is disbarred from the practice of law in this Court.

D-2381 IN THE MATTER OF DISBARMENT OF JERARD STEVEN HANKIN

Jerard Steven Hankin, of Poughkeepsie, New York, having been suspended from the practice of law in this Court by order of October 12, 2004; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Jerard Steven Hankin is disbarred from the practice of law in this Court.

D-2382 IN THE MATTER OF DISBARMENT OF RODNEY E. BATTS

Rodney E. Batts, of New York, New York, having been suspended from the practice of law in this Court by order of October 12, 2004; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Rodney E. Batts is disbarred from the practice of law in this Court.

D-2383 IN THE MATTER OF DISBARMENT OF ELMINA M. HILAIRE

Elmina M. Hilaire, of Westbury, New York, having been suspended from the practice of law in this Court by order of

October 12, 2004; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Elmina M. Hilaire is disbarred from the practice of law in this Court.

D-2384

IN THE MATTER OF DISBARMENT OF JESSICA ALLEN

Jessica Allen, of Selden, New York, having been suspended from the practice of law in this Court by order of October 12, 2004; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Jessica Allen is disbarred from the practice of law in this Court.

D-2385

IN THE MATTER OF DISBARMENT OF REYNOLD N. MASON

Reynold N. Mason, of Brooklyn, New York, having been suspended from the practice of law in this Court by order of November 8, 2004; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Reynold N. Mason is disbarred from the practice of law in this Court.

D-2386

IN THE MATTER OF DISBARMENT OF EDWARD MICHAEL MCGOWAN

Edward Michael McGowan, of Maspeth, New York, having been suspended from the practice of law in this Court by order of November 8, 2004; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Edward Michael McGowan is disbarred from

the practice of law in this Court.

RECESS ORDER

The Court will take a recess from Monday, January 24, 2005, until Tuesday, February 22, 2005.